

**ORDINANCE #22-23**

**CITY OF RAMSEY  
ANOKA COUNTY  
STATE OF MINNESOTA**

**AN AMENDMENT TO CHAPTER 117 WHICH IS KNOWN AS THE ZONING AND  
SUBDIVISIONS CHAPTER OF THE CITY CODE OF RAMSEY, MINNESOTA.**

**AN ORDINANCE AMENDING SECTION 117-57 (NONCONFORMING STRUCTURES  
AND USES) OF THE CITY CODE OF RAMSEY, MINNESOTA.**

The City of Ramsey ordains:

**SECTION 1. AUTHORITY**

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

**SECTION 2. AMENDMENT**

Sec 117-57 shall be amended to read as follows (additions indicated by underlined text):

Sec. 117-57. - Nonconforming structures and uses.

(a) Intent. It is the purpose of this section to provide for the regulation of nonconforming buildings, structures and uses and to specify those requirements, circumstances and conditions under which nonconforming buildings, structures and uses will be operated and maintained. This chapter establishes separate districts, each of which is an appropriate area for the location of uses that are allowed in that district. It is necessary and consistent with the establishment of these districts that nonconforming buildings, structures and uses not be allowed to continue without restriction. Furthermore, it is the intent of this section that all nonconforming uses shall be eventually brought into conformity or terminated.

(b) Regulations.

(1) Whenever a lawful nonconforming use of a structure or land or occupancy is discontinued for a continuous period of one year, any future use of said structure or lands shall be made to conform with the provisions of this chapter.

(2) Notwithstanding any other provisions of this chapter, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless it is a nonconforming use that is destroyed by fire or other peril to the extent of

greater than 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. In this case, the city may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property. Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.

(c) Creation of nonconformities by public action

- (1) Where there exists as of the date of adoption of this section a conforming land use, lot of record, sign, structure, and/or site improvement and a subsequent taking by a governmental body occurs under eminent domain or negotiated sale which renders such land use, lot of record, structure, or site improvement in violation of one or more provisions of this chapter, such land use, lot of record, sign, structure or site improvements becomes a legal non-conformity and may be used thereafter only in accordance with the provisions of this section.
- (2) The Planning Commission may consider government taking as a practical difficulty used with a request for a variance to a setback regulation for pre-existing buildings, parking lots, and/or signs.

**SECTION 3. EFFECTIVE DATE**

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota, the \_\_\_ day of \_\_\_, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Introduction date: \_\_\_, 2022

Posting dates:

Adoption date: \_\_\_, 2022

Publication date:

Effective date: